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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-second year

Identical letters dated 1 February 2017 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to you today to convey our alarm at the decision by the Government of Israel, the occupying Power, to proceed with plans for the construction of another 3,000 units in Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, in direct, grave contravention of international law and Security Council resolutions and in defiance of the international community.

In less than two weeks, the Israeli Government, which is blatantly exploiting transitions in the global political landscape, is moving ahead with unlawful schemes for the construction of more than 6,000 settlement units on occupied Palestinian land. This is a rate unprecedented in recent years and surpassing that of the entirety of 2016, a year in which Israel demonstrated persistent, systematic and deliberate contempt for the demands of the international community to cease all of its settlement activities, abide by its legal obligations and commit in good faith to the two-State solution on the basis of the 1967 lines.

Security Council resolution 2334 (2016) was unequivocally clear in this regard. Its adoption reflects a firm and long-standing global consensus on the matter and has been broadly deemed timely and imperative, considering the dangers confronting the two-State solution and the real risks for further escalation and destabilization of the situation on the ground.

Here it must be recalled that, in its resolution 2334 (2016), the Security Council, inter alia:

> 1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a

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major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard.

Moreover, in its resolution 2334 (2016), the Security Council calls, inter alia, for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution, and calls upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric.

There is no question that Israel is blatantly and flagrantly violating all of these provisions and all other relevant Security Council resolutions. Confronted with such unlawful, aggressive behaviour, the international community cannot remain silent. The Council's credibility and international law are at stake.

It is urgent that all provisions of resolution 2334 (2016) be immediately upheld and implemented in the face of such egregious violations and blatant disrespect for the authority and legislation of the Security Council. In accordance with the Charter of the United Nations, the Council's decisions cannot simply remain words on paper, but must be respected. This is the obligation of every State, without exception.

There must be firm condemnation of the recent Israeli decisions and clear reiteration of the demand for cessation of all settlement activities. This is urgent, for we are at a critical crossroads. Such illegal Israeli measures will lead to the further confiscation of Palestinian land, the forced displacement of more Palestinian civilians and the transfer of tens of thousands more Israeli settlers to Occupied Palestine, including East Jerusalem, more deeply enmeshing the two populations, entrenching the occupation and facilitating Israeli annexation plans to acquire more land by force, which are being pushed for and boasted about by members of the Israeli Government, along with other extremist voices.

If not stopped, such actions will irrevocably destroy the two-State solution, along with the comprehensive peace prospects boldly presented by the Arab Peace Initiative. Upon their destruction, it is Israel, the occupying Power, that must be held accountable, and the international community must also face up to its own responsibilities to resolve, justly and viably, this decades-long conflict and injustice.

The Palestinian people will never accept a situation of "perpetual occupation". There is actually no such thing as "perpetual occupation". International humanitarian law clearly stipulates that situations of foreign occupation are to be temporary, a criterion long-exceeded and grossly violated by Israel. The current and looming situation has all of the hallmarks of an apartheid situation. It is not only the Palestinian people and their leaders, but also the international community as a whole that will be compelled to deal with it as such, if the purposes and principles of the Charter are to stand and be defended, if human rights are to be respected, if civilians are to be protected and if the rule of law, the underpinning of our world order, is to be upheld.

We are not just at a turning point; we are arriving at the point of no return, and the death knell for the two-State solution is near. This is neither an exaggeration nor a threat; it is the reality. We thus reiterate our call for the Security Council, supported by all concerned and responsible States, to act immediately to salvage the minimal prospects for peace and for a new era in the Middle East that may remain.

The present letter is in follow-up to our 604 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 27 January 2017 (A/ES-10/741-S/2017/83), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations